

IN RE: PETITION FOR ZONING VARIANCE
NW/S Red Clover Court, 260'
SE of C/L of Golden Rod Road
(9770 Red Clover Court)
11th Election District
6th Councilmanic District
Charles Peter Linkowich, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a distance between elevations 20 feet or less in height of 13 feet in lieu of the required 16 feet, and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mrs. Linkowich, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 9770 Red Clover Court, is zoned D.R. 5.5 and is improved with a single family dwelling which has been the residence of the Petitioners for the past year and four months. Petitioners propose constructing a 5' x 10' shed which would be compatible with the existing dwelling. Due to drainage problems in the rear yard of the property, the shed would have to be placed in the side yard. However, due to the size of the proposed shed and the width of the side yard, approximately 1 foot of the shed will sit on an existing drainage easement. It was understood and agreed to by Petitioners as set forth in Petitioner's Exhibit 2, that if a variance is granted they may be required to move the shed and would be responsible for all costs incurred.

As a result of Petitioners' request, a field inspection of the subject site was made by the Baltimore County Bureau of Engineering on September 26, 1988. At that time, it was revealed that the shed would actually be placed over a 24-inch storm drain pipe in the existing drainage easement. By letter dated October 6, 1988 from Paul L. Hudson, Chief of said Bureau, it was indicated that the maintenance of the 24-inch storm drain would be hindered by the placement of the shed in the easement; thus, he recommended a denial of the requested variance.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After consideration of the testimony and evidence presented, it is clear Petitioner's proposed plans would interfere with access to storm drain pipes in the area where there are drainage problems; therefore, granting of the requested variance would be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October 1988 that the Petition for Zoning Variance to permit a distance between elevations 20 feet or less in height of 13 feet in lieu of the required 16 feet, and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope, all as more particularly described in Petitioner's Exhibit 1, be and is hereby DENIED.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

October 19, 1988

Mr. & Mrs. Charles P. Linkowich
9770 Red Clover Court
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
NW/S Red Clover Court, 260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
11th Election District - 6th Councilmanic District
Charles Peter Linkowich, et ux - Petitioners
Case No. 89-97-A

Dear Mr. & Mrs. Linkowich:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.1. To allow a distance between elevations 20 feet or less in height of 13 feet in lieu of the required 16 feet, and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Current zoning does not allow for a structure to be erected on side lot because of 8 foot setback. Back lot cannot be used because of house windows and drainage easement and eave/french drain combination at rear of lot. This requires me to store lawn mower, bikes, scooters, and all children's play toys, yard tools (rakes, shovels, axes, weed wackers, etc.) outside and therefore subject to misuse and injury by neighboring children. These valuable items are also subject to theft.

A outside structure (5 x 10) would secure the above.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

| | |
|---------------------------|---|
| Contract Purchaser: | Legal Owner(s): |
| (Type or Print Name) | Charles Peter Linkowich |
| Signature | (Type or Print Name) |
| Address | Theresa Linkowich |
| City and State | (Type or Print Name) |
| Attorney for Petitioner: | 9770 Red Clover Court 966-5754/882-4831 |
| (Type or Print Name) | Address |
| Signature | Baltimore, MD 21234 |
| Address | City and State |
| City and State | Name, address and phone number of legal owner, contract purchaser or representative to be contacted |
| Attorney's Telephone No.: | Same as above |
| | Name |
| | Address |
| | Phone No. |

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day

of October, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 19th day of October, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ZONING DESCRIPTION

Beginning on the NW side of Red Clover Court 30 feet wide, at a distance of 260 feet SE of the center line of Golden Rod Road Being lot 21, Block C, in the sub-division of Cloverfield. Book No. 53, Folio 90. Also known as 9770 Red Clover Court in the eleventh election district.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 6, 1989

Mr. Charles P. Linkowich
9770 Red Clover Court
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
NW/S Red Clover Court, 260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
11th Election District - 6th Councilmanic District
Case No. 89-97-A

Dear Mr. Linkowich:

This letter is in reply to your letter dated January 17, 1989 to Mr. Carl Richards of this office in response to my letter to you dated November 29, 1988. Attempts to reach you telephonically have been unsuccessful. Therefore, this letter is being sent.

Upon review of the revised site plan you submitted, it appears that the height of the two dwellings exceeds the elevation presented on the Petition filed in this case. According to the drawing, the height of for each building is approximately 28 feet. On the Petition, the height elevations were listed as 20 feet or less and a variance of 13 feet in lieu of the maximum permitted 16 feet was requested. If the height of the buildings is 28 feet, then the distance required between the two buildings is 30 feet and not 16 feet as set forth in the Petition. Unfortunately, if such is the case, an amended Petition is required.

Please contact either myself or Carl Richards to schedule an appointment to file an amended Petition. At the time you file the amended Petition, a new site plan which clearly indicates the elevations and distances between the buildings must be presented. In addition, the drawing submitted with your letter should be revised so that it is more legible. It is suggested the plan be increased to a 1" eq. is 20' scale for greater legibility.

Looking forward to hearing from you in the very near future.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Carl Richards

Case File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

November 29, 1989

Mr. Charles P. Linkowich
9770 Red Clover Court
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
NW/S Red Clover Court, 260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
11th Election District - 6th Councilmanic District
Case No. 89-97-A

Dear Mr. Linkowich:

Pursuant to your letter dated October 26, 1988, I would be happy to accept a request for a modification of your Petition for Variance. However, prior to doing so, I will need a new scale profile drawing indicating either compliance with the height distance requirements of Section 1801.2C1.1 and/or a drawing indicating the distance between your dwelling with the attached proposed shed and the existing dwelling known as lot 22, as well as the height elevations of each dwelling.

If you should have any questions, please do not hesitate to contact Mr. Carl Richards of this office at 887-3491. Thank you for your consideration and assistance in this matter.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Case File

9770 Red Clover Ct.
Baltimore, MD 21234
January 17, 1989

Mr. Carl Richards
Baltimore Co. Zoning Ofc
Towson, MD 21204
RE: Case # 89-97-A

Mr. Richards:

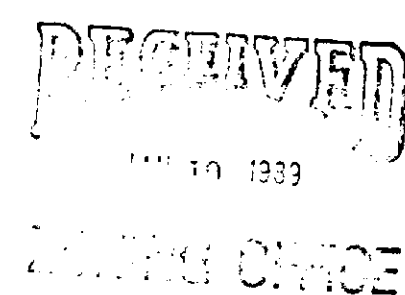
Please find attached drawing as requested per Ann's letter of November 29. This has certainly been an exasperating experience, to say the least, and hope that this is the final chapter.

Please send a letter of approval at your earliest convenience.

You can reach me at 966-5754 during the day if further information is needed.

Thank You,

Charles P. Linkowich
Charles P. Linkowich



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-9333
J. Robert Haines
Zoning Commissioner

November 29, 1988



Mr. Charles P. Linkowich
9770 Red Clover Court
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
NW/8 Red Clover Court, 260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
11th Election District - 6th Councilmanic District
Case No. 89-97-A

Dear Mr. Linkowich:

Pursuant to your letter dated October 26, 1988, I would be happy to accept a request for a modification of your Petition for Variance. However, prior to doing so, I will need a new scale profile drawing indicating either compliance with the height distance requirements of Section 1801.2C1.1 and/or a drawing indicating the distance between your dwelling and the attached proposed shed and the existing dwelling known as Lot 22, as well as the height elevations of each dwelling.

If you should have any questions, please do not hesitate to contact Mr. Carl Richards of this office at 887-3391. Thank you for your consideration and assistance in this matter.

Very truly yours,

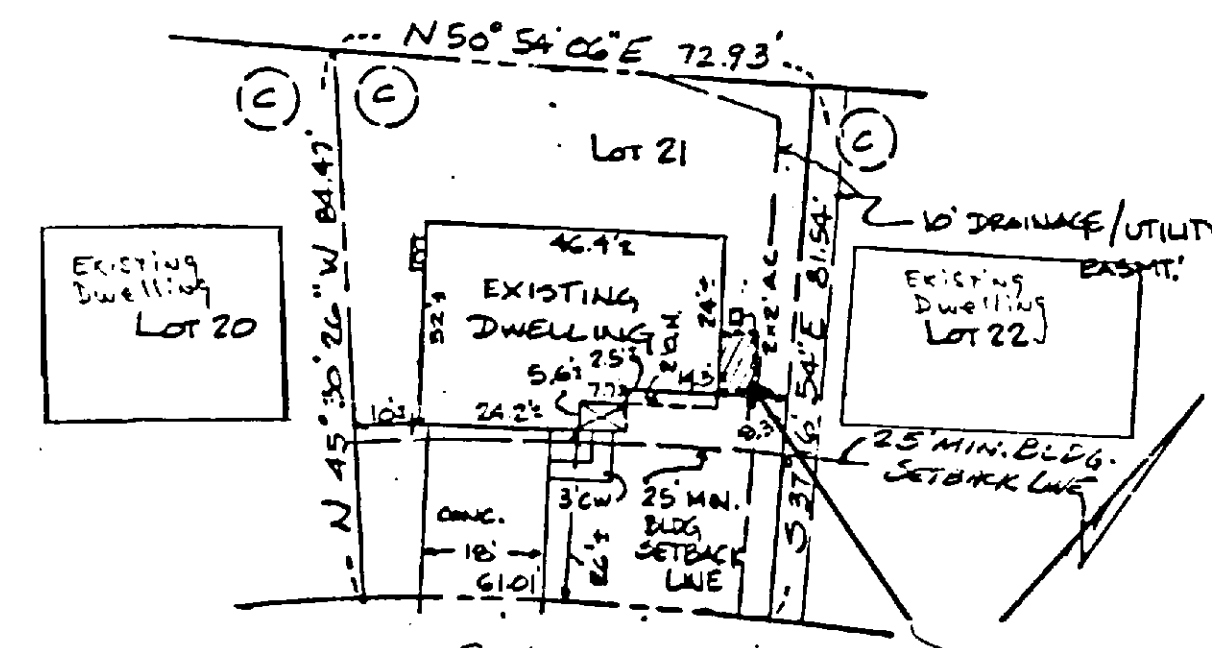
Ann M. Nastarowicz
Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Case File

Plat showing property known as #9770 Red Clover Court, Baltimore County, Maryland. Also known as Lot 21, Block C as shown on Plat One of Cloverfield Manor recorded among the land records of Baltimore County, Maryland in Plat Book E.H.K. Jr. 53 folio 90.

AS AMENDED
CASE # 89-97-A
Front/Height Elevation
on Reverse



RED CLOVER COURT
50' RW

PLAT FOR ZONING VARIANCE
OWNER - CHARLES P. & THERESA LINKOWICH
DISTRICT 11 - ZONED D.R. 5.5
SUBDIVISION - CLOVERFIELD
LOT 21, BLK C, BOOK 53, FOLIO 90
LOT SIZE 5925 : .14 ACRE

THIS IS TO CERTIFY that I have located the improvements on the lot shown hereon, and that said improvements are, and that said improvements be, as shown on the plat hereon.

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 York Road
Baltimore, Maryland 21212
89/152
Scale: 1" = 20' Issued: 4-29-89

9770 Red Clover Court
Baltimore, Md 21234
26 October 1988

Ann M. Nastarowicz
Baltimore County Zoning Commissioner
Office of Planning and Zoning
Towson, MD 21204

Re: Case number 89-97-A

Ms. Nastarowicz:

Needless to say the denial of my petition came as quite a surprise. I understand you generally do not review denials, however I would like a few minutes of your time and logical understanding.

The exclusive reason the shed has been denied is the fact it will reside over the underground storm drain by one foot, thus posing an obstruction to future maintenance. There is absolutely no other reason for denial, no breach of county ordinances or protests from the community. I am sure we both realize that the probability of this storm drain ever requiring maintenance at this specific site is infinitesimal at best. However, this point is irrelevant to the case but what is relevant is the fact that I do not care which side of my house the shed is erected. The building envelopes, distances, lot lines are virtually the same on either side. Unfortunately, I chose the side the storm drain is on.

I personally feel that for the time, inconvenience and money I have spent for this petition, that your office should have taken a much broader look at my petition during the review process and given me at least two options to consider, which are: 1) amend the shed by one foot (shorter), or 2) allow the erection of the shed on the other side of the house where no storm drain exist.

It was not until September 26, thirteen days after the hearing, that your office discovered the presence of the underground storm drain for which served as the basis for denial of the shed. This obviously placed me at a disadvantage during the hearing because I assumed that all the evidence pertinent to the petition was present at that time. I also find it interesting that nowhere on the documents mailed to me include the hearing date of September 13. Perhaps a modification to the review process is in order to allow participation by the petitioner. If I would have been informed by mail or telephone that the only reason the shed is being denied is because of the storm drain, then I would have responded with the alternative of erecting the shed on the opposite side of the house.

The civil servants of the local government is just what the name implies and that is you and the employees of the Baltimore County government should aid and work with the citizens and not be an obstacle to their best interests.

Since all the evidence was not present at the Hearing which disallowed any response from me concerning the storm drain, I am requesting that you approve the proposed options as previously mentioned. I anxiously await your decision.

By the way, I do not intend to file an appeal and waste five more months and several hundred dollars.

Sincerely,

Charles P. Linkowich
Charles P. Linkowich

cc: Mr. Bob Infussi
Mr. J. Robert Haines

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Ann M. Nastarowicz
TO: Deputy Zoning Commissioner Date: October 6, 1988
Paul L. Hudson, P.E.
FROM: Chief, Bureau of Engineering
Zoning Variance for Shed Addition
SUBJECT: At 9770 Red Clover Court

In answer to your inter-office correspondence dated September 26, 1988, an office investigation and a field inspection has revealed that a 24 inch diameter storm drain pipe is within the existing drainage and utility easement. The maintenance of the 24 inch storm drain would be hindered by the approximately 1 foot encroachment of the shed addition. Therefore, we recommend the denial of the zoning variance.

PLH:RAC:EAB:pif

cc: File

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th
Posted for: Charles P. Linkowich
Petitioner: Charles P. Linkowich
Location of property: NW/8 Red Clover Court, 260' SE of Golden Rod Road
Location of Sign: 9770 Red Clover Court, 15' E. of driveway
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 4
Date of Posting: 10/6/88
Date of return: 10/18/88

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: R. Alonzo Childress, Chief
Storm Drain Design - Bureau of Engineering
DATE: September 26, 1988
FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner
SUBJECT: Petition for Zoning Variance
NW/8 Red Clover Court,
260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
Charles Peter Linkowich, et ux - Petitioners
Case No. 89-97-A

This will confirm our telephone conversation of last week. As discussed, the above-referenced property is the subject of a Petition for Zoning Variance wherein the property owners have requested a variance to permit a distance between building elevations of 20 feet or less in height of 13 feet in lieu of the required 16 feet, for a proposed shed addition, as depicted in Petitioner's Exhibit 1. A copy of the Petition is enclosed for your reference.

Also attached for your reference is a copy of the plat identified as Petitioner's Exhibit 1, a letter dated July 7, 1988 from the Petitioner to this Office, which has been identified as Petitioner's Exhibit 2, and copies of photographs of the subject property, identified as Petitioner's Exhibit 3. As you can see, a drainage/utility easement runs through a rear portion of the subject property. The proposed shed addition will abut the easement and in some spots, will sit one foot over the easement.

The property owners were advised at the hearing that the requested variance would not be granted until a determination was made by the appropriate agency as to whether or not the proposed shed addition would in any way adversely affect the drainage/utility easement.

Please review the attached correspondence and advise me accordingly, in writing, of your comments. If you have any questions on the subject, or require additional information, please do not hesitate to contact me on Ext. 3153. Your assistance in this matter will be greatly appreciated.

AMN:bjs
cc: Mr. & Mrs. Charles P. Linkowich
9770 Red Clover Court, Baltimore, Md. 21234
Case File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Karen M. Merrey
Bureau of Water Quality and Resource Management - DEPRM
DATE: September 26, 1988
FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner
SUBJECT: Petition for Zoning Variance
NW/8 Red Clover Court,
260' SE of the c/l of Golden Rod Road
(9770 Red Clover Court)
Charles Peter Linkowich, et ux - Petitioners
Case No. 89-97-A

Petition for Zoning Variance
N/S Andrea Avenue,
432' W of the c/l of Harford Road
(2922 Andrea Avenue)
Roger Michael Frye, et ux - Petitioners
Case No. 89-95-A

This will confirm our conversation of Tuesday, September 20, 1988 on the above-captioned matters. It is my understanding that your office will not be supplying any comments to the Office of Zoning with respect to the improvements proposed in each case. According to the information you obtained, issues concerning storm drainage easements and sediment control ponds should be referred to the Bureau of Public Services.

Thank you for your assistance in this matter.

AMN:bjs

cc: Case Files (2)

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 17, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 4 successive weeks, the first publication appearing on July 14, 1988.

TOWSON TIMES,

S. Zafe Orlem
Publisher

\$41.25

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 89-97-A
111 W. Red Clover Court
200' SE of Golden Road (200' SE of Red Clover Court)
11th Election District
6th Councilmanic District
Petitioner: Charles Peter Linkovich, et ux

Hearing Date: Tuesday, Sept. 13, 1988 at 3:00 p.m.

Variance to allow a distance between elevations 20 ft. or less in height of 13 ft. in lieu of the required 16 ft. and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 89-97-A
111 W. Red Clover Court
200' SE of Golden Road (200' SE of Red Clover Court)
11th Election District
6th Councilmanic District
Petitioner: Charles Peter Linkovich, et ux

Hearing Date: Tuesday, Sept. 13, 1988 at 3:00 p.m.

Variance to allow a distance between elevations 20 ft. or less in height of 13 ft. in lieu of the required 16 ft. and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 89-97-A
111 W. Red Clover Court, 200' SE of Golden Road (200' SE of Red Clover Court)
11th Election District - 6th Councilmanic District
Petitioner(s): Charles Peter Linkovich, et ux
HEARING SCHEDULED: TUESDAY, SEPTEMBER 13, 1988 at 3:00 p.m.

Variance to allow a distance between elevations 20 ft. or less in height of 13 ft. in lieu of the required 16 ft. and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Charles Peter Linkovich
9770 Red Clover Court
Baltimore, Maryland 21234

Re: Petition for Zoning Variance
CASE NUMBER: 89-97-A
111 W. Red Clover Court, 200' SE of Golden Road (200' SE of Red Clover Court)
11th Election District - 6th Councilmanic District
Petitioner(s): Charles Peter Linkovich, et ux
HEARING SCHEDULED: TUESDAY, SEPTEMBER 13, 1988 at 3:00 p.m.

Dear Mr. & Mrs. Linkovich:

Please be advised that \$41.25 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204, fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 9/13/88 ACCOUNT: \$

AMOUNT: \$ 41.25

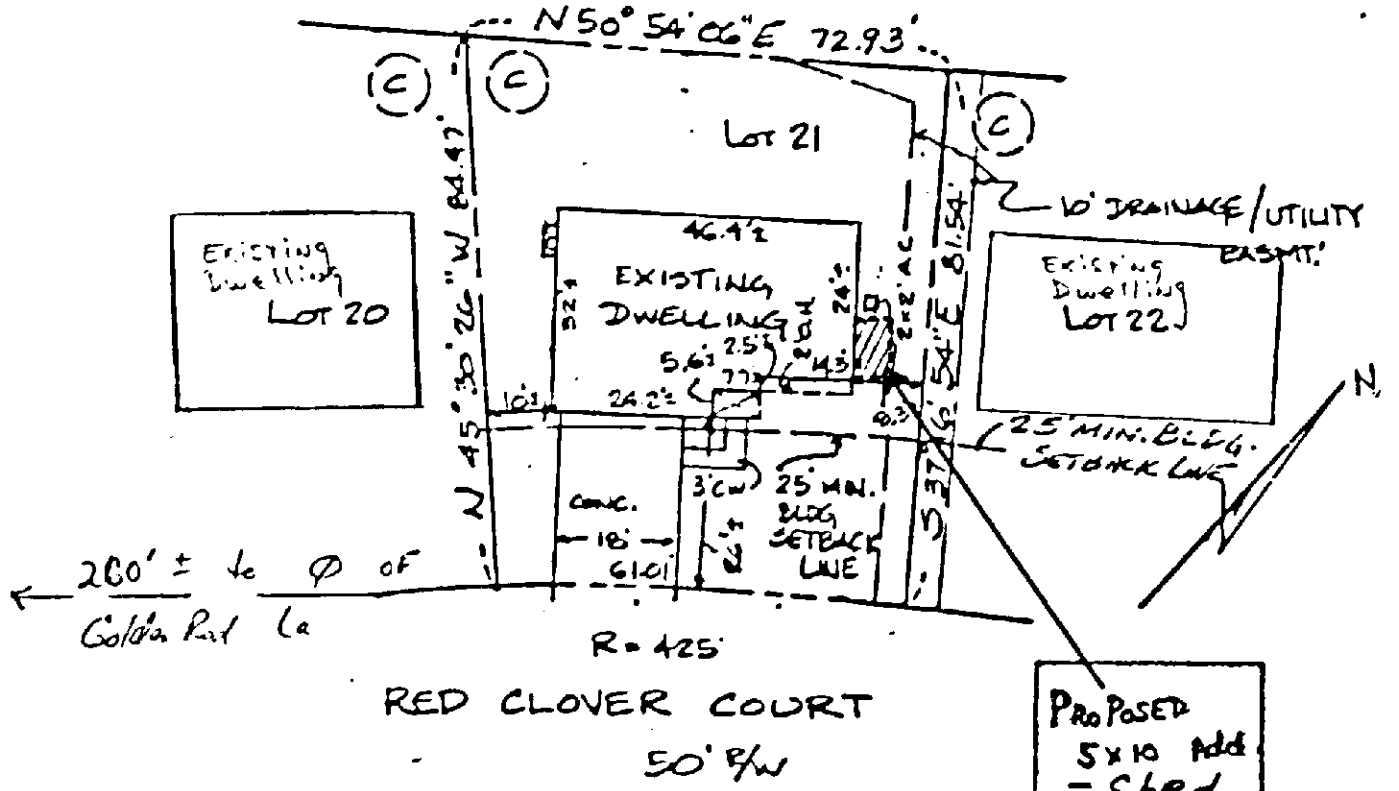
RECEIVED FROM: Charles Peter Linkovich

FOR:

VALIDATION OF SIGNATURE OF CASHIER

SIGNATURE: DATE:

Plat showing property known as 9770 Red Clover Court, Baltimore County, Maryland. Also known as Lot 21, Block C as shown on Plat One of Cloverfield Manor recorded among the land records of Baltimore County, Maryland in Plat Book E.H.K. Jr. 53 folio 90.



PLAT FOR ZONING VARIANCE
OWNER - CHARLES P. & THERESA LINKOVICH
DISTRICT 11 - ZONED D.R. 5.5
SUBDIVISION - CLOVERFIELD
LOT 21, BLK C, BOOK 53, P. 90
LOT SIZE 5925 : .14 ACRES

THIS IS TO CERTIFY that I have located the improvements on the lot above shown, and that said improvements are, and that said improvements be truly as shown on the foregoing.

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6605 York Road
Baltimore, Maryland 21212

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6605 York Road
Baltimore, Maryland 21212

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 22, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-97-A
111 W. Red Clover Court, 200' SE of Golden Road (200' SE of Red Clover Court)
11th Election District - 6th Councilmanic District
Petitioner(s): Charles Peter Linkovich, et ux
HEARING SCHEDULED: TUESDAY, SEPTEMBER 13, 1988 at 3:00 p.m.

Variance to allow a distance between elevations 20 ft. or less in height of 13 ft. in lieu of the required 16 ft. and to amend the 1st Amended Final Development Plan of Cloverfield Manor, Block C, Lot 21 to allow construction of an addition outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Mr. & Mrs. Linkovich
File

9770 Red Clover Court
Baltimore, MD 21234
July 7, 1988

Mr. John Sullivan
111 W. Chesapeake Ave.
Room 113
Towson, Md 21204

Re: Zoning Variance

Mr. Sullivan:

I acknowledge the fact the the construction of a "shed", as applied for zoning variance on July 5, 1988, will sit on approximately one foot of the drainage easement. I also acknowledge that maintenance to this area of storm drain could result in the removal of "shed" and that the costs for this and susequent replacement is my liability.

Charles P. Linkovich

PETITIONER'S
EXHIBIT 20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
Date: July 6, 1988

FROM: Robert W. Bowling

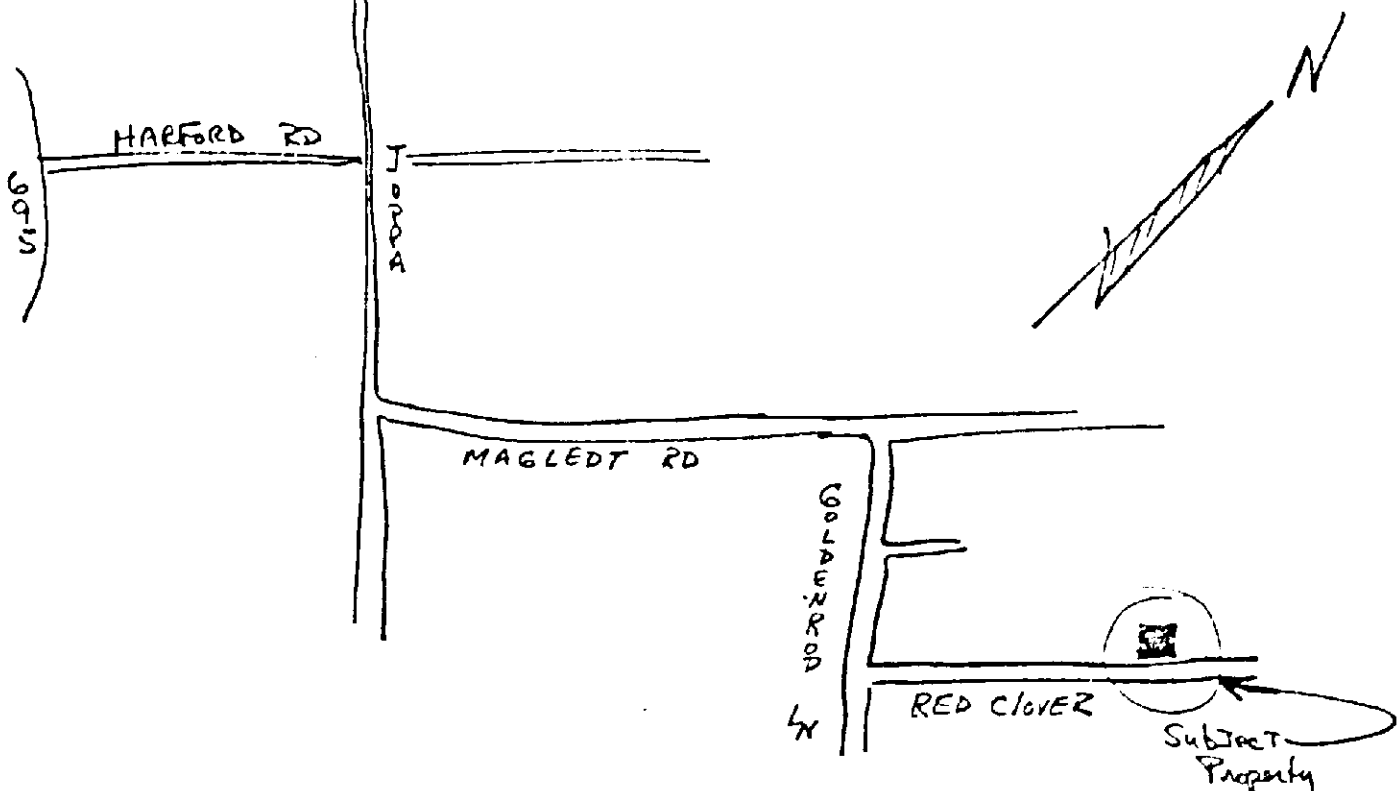
SUBJECT: Zoning Variance - 9770 Red Clover Court
CLOVERFIELD Manor

The Developer's Engineering Division of the Bureau of Public Services has no objections with the owner of the subject property erecting a shed that encroaches approximately one (1) foot into the existing 10' drainage and utility easement (see attached plat). If repairs need to be done to the existing 24" storm drain line, the shed can be easily moved and replaced upon completion of the work. If you should have any questions, please feel free to contact this office on extension 3761.

Robert W. Bowling
Robert W. Bowling, P.E., Bowling Chief
Developer's Engineering Division

RWB:SDR:tab
CLOVERFL/TEXTMEMO3

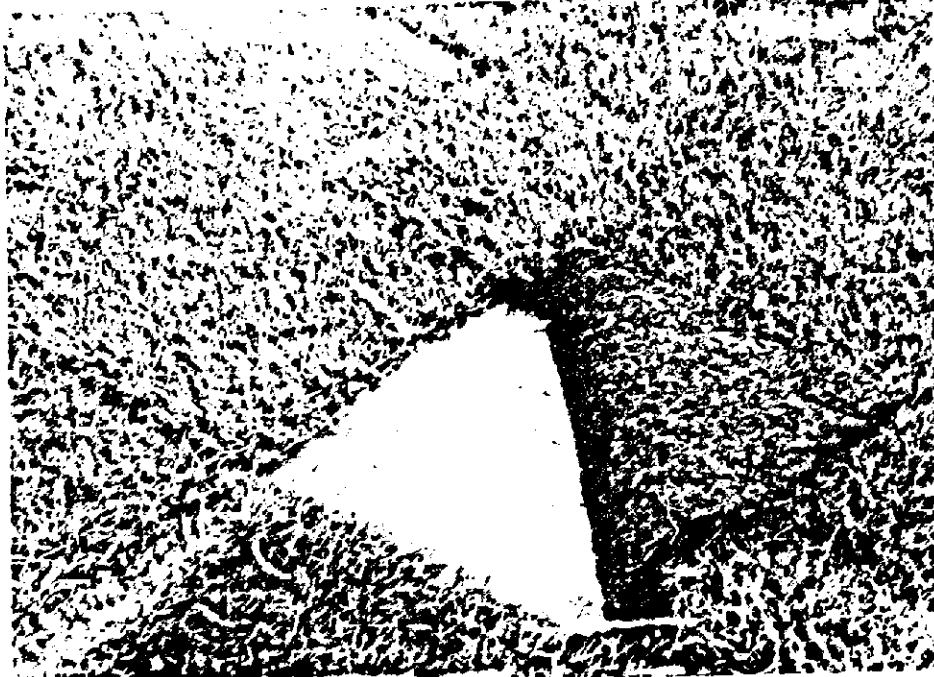
VINYL MAP



PETITIONER(S) EXHIBIT (3)



back yard



89-97-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
20th day of July, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner Charles P. Linkowich, et ux Received by: James E. Dyer
Petitioner's Attorney _____ Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 31, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cdo

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. & Mrs. Charles P. Linkowich
9770 Red Clover Court
Baltimore, MD 21234

RE: Item No. 1 Case No. 89-97-A
Petitioner: Charles P. Linkowich, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Linkowich:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

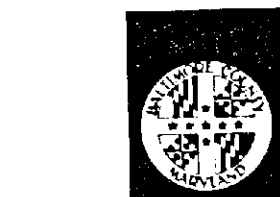
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:scj

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

August 5, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 475, 476, 482, 487, 1, 2, 3, 4, 7, 8, 9 and 10.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/lab

RECEIVED
AUG 15 1988

ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

July 26, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Charles Peter Linkowich, et ux

Location: NW/S Red Clover Court, 260' SE of c/1 Golden Rod Road,
9770 Red Clover Court

Item No.: 1

Zoning Agenda: Meeting of 7/19/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly* 7-15-88 Noted and
Planning Group Approved:
Special Inspection Division

Fire Prevention Bureau

/j1